



## COMBINED DECLARATION AND POWER OF ATTORNEY

(Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHODS TO IDENTIFY SIGNAL SEQUENCES

This declaration is of the following type:

- ☒ original
- ☐ design
- ☐ national stage of
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (C-I-P)

the specification of which: *(complete (a), (b), or (c))*

(a) ☐ is attached hereto.

(b) ☒ was filed on October 31, 2001 as Application Serial No. 10/002,631 and was amended on *(if applicable)*.

(c) ☐ was described and claimed in PCT International Application No. on and was amended on *(if applicable)*.

### Acknowledgement of Review of Papers and Duty of Candor

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56.

☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.98.

### Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

*(complete (d) or (e))*

(d) ☒ no such applications have been filed.

(e) ☐ such applications have been filed as follows:

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION			
COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
			PRIORITY CLAIMED UNDER 35 USC 119 <input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION			
COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

### Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
60/300,309	June 21, 2001

### Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120

*(complete this part only if this is a divisional, continuation or C-I-P application)*

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status) (patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status) (patented, pending, abandoned)

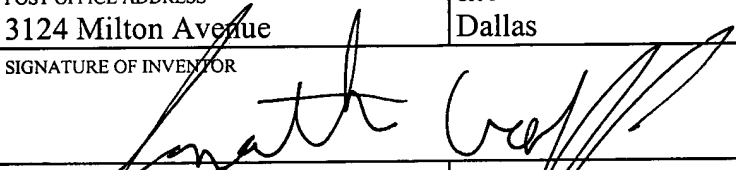
### Power of Attorney

Richard G. Berkley, Reg. No. 25,465; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836; Henry Tang, Reg. No. 29,705; Robert C. Scheinfeld, Reg. No. 31,300; John A. Fogarty, Jr., Reg. No. 22,348; Louis S. Sorell, Reg. No. 32,439; Rochelle K. Seide, Reg. No. 32,300; Gary M. Butter, Reg. No. 33,841; Lisa B. Kole, Reg. No. 35,225; Neil P. Sirota, Reg. No. 38,306; Paul A. Ragusa, Reg. No. 38,587, and Alicia A. Russo, Reg. No. 49,126 of the firm of BAKER BOTTS L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

<b>SEND CORRESPONDENCE TO:</b> BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112 CUSTOMER NUMBER: 21003	<b>DIRECT TELEPHONE CALLS TO:</b> BAKER BOTTS L.L.P. (212) 705-5000
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NY02:346847.1

FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME GRAFF	FIRST NAME JONATHAN	MIDDLE NAME M.	
RESIDENCE & CITIZENSHIP	CITY Dallas	STATE or FOREIGN COUNTRY Texas	COUNTRY OF CITIZENSHIP United States of America	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 3124 Milton Avenue	CITY Dallas	STATE or COUNTRY Texas	ZIP CODE 75205
DATE 3/10/02	SIGNATURE OF INVENTOR 			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME MUENSTER	FIRST NAME MATTHEW	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY Irving	STATE or FOREIGN COUNTRY Texas	COUNTRY OF CITIZENSHIP United States of America	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 2014 Royal Oaks Drive	CITY Irving	STATE or COUNTRY Texas	ZIP CODE 75060
DATE	SIGNATURE OF INVENTOR			

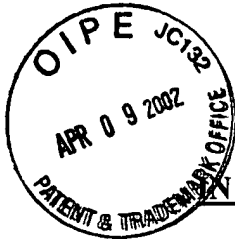
Check proper box(es) for any added page(s) forming a part of this declaration

- ☐ Signature for ninth and subsequent joint inventors. Number of pages added \_\_\_\_\_.
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.  
Number of pages added \_\_\_\_\_.
- ☐ Signature for inventor who refuses to sign, or cannot be reached, by person authorized under 37 CFR 1.47.  
Number of pages added \_\_\_\_\_.

FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME GRAFF	FIRST NAME JONATHAN	MIDDLE NAME M.	
RESIDENCE & CITIZENSHIP	CITY Dallas	STATE or FOREIGN COUNTRY Texas	COUNTRY OF CITIZENSHIP United States of America	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 3124 Milton Avenue	CITY Dallas	STATE or COUNTRY Texas	ZIP CODE 75205
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME MUENSTER	FIRST NAME MATTHEW	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY Irving	STATE or FOREIGN COUNTRY Texas	COUNTRY OF CITIZENSHIP United States of America	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 2014 Royal Oaks Drive	CITY Irving	STATE or COUNTRY Texas	ZIP CODE 75060
DATE	SIGNATURE OF INVENTOR			
3/18/02				

Check proper box(es) for any added page(s) forming a part of this declaration

- ☐ Signature for ninth and subsequent joint inventors. Number of pages added \_\_\_\_\_.
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.  
Number of pages added \_\_\_\_\_.
- ☐ Signature for inventor who refuses to sign, or cannot be reached, by person authorized under 37 CFR 1.47.  
Number of pages added \_\_\_\_\_.



DOCKET NO.: A34943 - 090495.0243  
PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Jonathan M. Graff et al.  
Serial No. : 10/002,631  
Filing Date : October 31, 2001  
Title : METHOD TO IDENTIFY SIGNAL SEQUENCES  
Group Art Unit : To be assigned  
Examiner : To be assigned.

**RECEIVED**

APR 15 2002

TECH CENTER 1600/2900

**STATEMENT OF FACTS**

April 9, 2002

**BY EXPRESS MAIL NO. EU206443033US**

**BOX PATENT APPLICATION**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

We, Jonathan M. Graff, Matthew Muenster and Deborah Allan hereby declare that, to the extent of our awareness at the time and to the best of our recollection at present, the following are truly stated facts:

On June 21, 2001, Provisional Application Serial No. 60/300,309 was filed to which the above-referenced patent application claims priority. The provisional application included claims

NY02:380206.1

for which Deborah Allan made an inventive contribution. When the above-reference non-provisional application was filed on October 30, 2001, the claims in the provisional for which Deborah Allan made an inventive contribution were deleted and the only remaining claims were those for which Jonathan M. Graff and Matthew Muenster made an inventive contribution. However, Deborah Allan's name was inadvertently included as an inventor when the application was filed.

Having realized the claims for which Deborah Allan made an inventive contribution were not filed in the above-referenced patent application, we believe that Jonathan M. Graff and Matthew Muenster are the only inventors in the above-identified patent application.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements made jeopardize the validity of the application or any patent issued thereon.

  
Jonathan M. Graff

\_\_\_\_\_  
Matthew Muenster

\_\_\_\_\_  
Deborah Allan

for which Deborah Allan made an inventive contribution. When the above-reference non-provisional application was filed on October 30, 2001, the claims in the provisional for which Deborah Allan made an inventive contribution were deleted and the only remaining claims were those for which Jonathan M. Graff and Matthew Muenster made an inventive contribution. However, Deborah Allan's name was inadvertently included as an inventor when the application was filed.

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\_\_\_\_\_  
Jonathan M. Graff

  
\_\_\_\_\_  
Matthew Muenster

\_\_\_\_\_  
Deborah Allan

for which Deborah Allan made an inventive contribution. When the above-reference non-provisional application was filed on October 30, 2001, the claims in the provisional for which Deborah Allan made an inventive contribution were deleted and the only remaining claims were those for which Jonathan M. Graff and Matthew Muenster made an inventive contribution. However, Deborah Allan's name was inadvertently included as an inventor when the application was filed.

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements made jeopardize the validity of the application or any patent issued thereon.

\_\_\_\_\_  
Jonathan M. Graff

\_\_\_\_\_  
Matthew Muenster

Deborah Allan      03/20/02      Deborah Allan





**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Jonathan M. Graff et al.  
Serial No. : 10/002,631  
Filing Date : October 31, 2001  
Title : METHOD TO IDENTIFY SIGNAL SEQUENCES  
Group Art Unit : To be assigned  
Examiner : To be assigned.

**CONSENT OF THE ASSIGNEE**

April 9, 2002

**BY EXPRESS MAIL NO: EU206443033US**

**BOX PATENT APPLICATION**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, assignee of the entire right, title and interest in and to the above-identified patent application, hereby consents to the deletion of Deborah Allan as a named co-

inventors in the above-identified patent application, leaving Jonathan M. Graff and Matthew Muenster as co-inventors.

BOARD OF REGENTS,  
THE UNIVERSITY OF TEXAS SYSTEM

By: \_\_\_\_\_



Cullen M. Godfrey  
Vice Chancellor and General Counsel

Date: March 20, 2002